

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA

NEAL FLOWERS,)	
)	
Plaintiff,)	
)	
vs.)	No. CIV-15-396-C
)	
LARRY RHODES, Sheriff;)	
GARVIN COUNTY JAIL;)	
JOSH WHITE, Jail Admin.;)	
and LADIO AMARO, Jailer,)	
)	
Defendants.)	

ORDER

This civil rights action brought by a prisoner, proceeding pro se, was referred to United States Magistrate Judge Suzanne Mitchell, consistent with the provisions of 28 U.S.C. § 636(b)(1)(B). Judge Mitchell entered a Report and Recommendation (“R&R”) on July 21, 2015, recommending that Garvin County’s Motion to Dismiss be granted, but that Plaintiff be granted leave to amend the Amended Complaint.

Rather than object to the Report and Recommendation, Plaintiff has filed a Motion to Amend, seeking substitution of the Board of County Commissioners of Garvin County, rather than simply Garvin County. Although Judge Mitchell recommended dismissal with leave to amend, it appears that simply reflecting the correctly named Defendant on the docket sheet, without the need of a formal amended complaint, would further the goals of “just, speedy, and inexpensive determination” of this action. See Fed. R. Civ. P. 1.

Accordingly, the Court declines to adopt the R&R (Dkt. No. 36), and the Motion to Amend (Dkt. No. 38) is GRANTED. The Clerk shall substitute “Garvin County Board of County Commissioners” for “Garvin County Jail.”

IT IS SO ORDERED this 25th day of August, 2015.



ROBIN J. CAUTHRON

United States District Judge